

1 Valerie McDonald
2 9004 In Vogue Ct
3 Las Vegas, Nevada 89149
4 702-970-0173
5 valeriecmcdonald@gmail.com

6
7 UNITED STATES DISTRICT COURT
8
9 DISTRICT OF NEVADA

10 VALERIE MCONALD,
11 Plaintiff,
12 vs.
13 AARGON AGENCY, INC
14 Defendant

15 Case No.2:23-cv-01476-MMD-NJK

16 **~~PROPOSED DISCOVERY PLAN AND
SCHEDULING ORDER~~**

17 **(SUBMITTED IN COMPLIANCE WITH
18 LR 26-1(b))**

19 Pursuant to Local Rule 26-1, the parties submit their proposed discovery plan and
20 scheduling order.

21 **1. Meeting:** Pursuant to FRCP 26(f) and LR-26-1(a), a meeting was held on October
22 19, 2023, and was attended by Plaintiff Valeria McDonald, pro per, and Adam R. Knecht, Esq.,
23 counsel for Aargon Agency, Inc.

24 **2. Pre-Discovery Disclosures:** Pursuant to FRCP Rule 26(a)(1), the parties will
25 make their pre-discovery disclosures, including but not limited to any computation(s) of damages
26 required pursuant to FRCP 26(a)(i)(A)(iii), by October 30, 2023.

27 **3. Areas of Discovery:** Submitted In Compliance With LR 26-1(b): Discovery should
28 include, but not be limited to: all claims and defenses allowed pursuant to the Federal Rules of
Civil Procedure.

29 **4. Discovery Plan:** The parties request a discovery plan of 180 days from the date of
30 appearance of the first answering Defendant. Pursuant to LR 26-1(b)(1), the 180 days of discovery
31 runs from the first time the first defendant answers or otherwise appears. Here, Defendant appeared
32 PROPOSED DISCOVERY PLAN AND SCHEDULING ORDER(SUBMITTED IN COMPLIANCE WITH LR 26-
33 1(B)) - 1

1 on October 16, 2023, by filing an answer to Complaint [ECF No. 11]. The discovery deadlines
 2 herein have been calculated from that date.

3 **5. Discovery Cut-Off Dates:** The parties propose that discovery must be commenced
 4 and completed no later than Tuesday, April 16, 2024, 180 days after Defendant appeared, and be
 5 conducted as follows:

6 **A. Amending the pleadings and Adding Parties:** The parties shall have until
 7 Wednesday, January 17, 2024 to file any motions to amend the pleadings to add parties, ninety
 8 (90) prior to the discovery cut-off date, pursuant to LR 26-1(b)(2).

9 **B. FRCP 26(a)(2) Disclosures of Experts:** Expert Witness disclosures shall
 10 be made on or before, Friday, February 16, 2024, 60 days prior to the discovery cut-off.

11 Disclosures regarding rebuttal experts shall be made on or before Monday, March
 12 18, 2024, thirty-one (31)¹ days after the initial disclosures of experts. The requirements of FRCP
 13 26(a)(2)(B) shall apply to any such disclosures.

14 The interim status report
 15 is no longer required by
 16 the local rules. **C. Interim Status Report:** The parties shall file the interim status report
 17 ~~26-3 by Monday, March 18, 2024, fifty nine (59)² days prior to the discovery~~

18 ~~cutoff date.~~

19 **D. Dispositive Motions:** The parties shall have until Thursday, May 16, 2024
 20 to file dispositive motions, thirty (30) days after the discovery cut-off. In the event the discovery
 21 cutoff is extended, the deadlines for filing dispositive motions automatically will be extended until
 22 thirty (30) days after the new discovery cut-off date.

23
 24

 25 ¹ The date occurring thirty (30) days after the initial expert disclosure deadline falls on Sunday, March 17,
 26 2024. The parties agree to move this deadline to the next judicial day.

27 ² The date occurring sixty (60) days prior to the discovery cutoff deadline falls on Sunday, March 17, 2024.
 28 The parties agree to move this deadline to the next judicial day.

1 **E. Pre-Trial Order:** The parties will prepare a Consolidated Pre-Trial Order
 2 on or before Monday, June 17, 2024³, which is not more than thirty-two (32) days after the date
 3 set for filing dispositive motions in the case. This deadline will be suspended if dispositive motions
 4 are timely filed until thirty (30) days after the decision of the dispositive motions or until further
 5 order of the Court. The disclosure required by FRCP Rule 26(a)(3) and objections thereto, shall be
 6 made in the pre-trial order.

7 **F. Court Conferences:** If the Court has questions regarding the dates
 8 proposed by the parties, the parties request a conference with the Court before entry of the
 9 Scheduling Order.

10 **G. Extensions or Modifications of the Discovery Plan and Scheduling**
 11 LR 26-3
 12 **Order:** ~~LR 26-4~~ governs modifications or extensions of this Discovery Plan and Scheduling Order.
 13 Any stipulation or motion to extend a deadline set forth in the discovery plan and scheduling order
 14 must be made not later than twenty-one (21) days before the subject deadline. Any stipulation or
 15 motion to extend the discovery cut-off period must be made no later than Tuesday, March 26, 2024,
 16 twenty-one (21) days before the discovery cut-off date.

17 **6. Other Items:**

18 **A. Format of Discovery:** Pursuant to the electronic discovery amendments to
 19 the Federal Rules of Civil Procedure effective December 1, 2006, the parties addressed the e-
 20 discovery issues pertaining to the format of discovery at the Rule 26(f) conference. The parties do
 21 not anticipate the discovery of native files or metadata at this time, but each party reserves the right
 22 to request such electronic data as discovery progresses.

23 **B. Alternative Dispute Resolution:** The parties hereby certify that they met
 24 and conferred about the possibility of using alternative dispute-resolution processes including
 25

26

27 ³ The date occurring thirty (30) days after the dispositive motion deadline falls on Saturday, June 15, 2024.
 28 The parties agree to move this deadline to the next judicial day.

1 mediation, arbitration, and if applicable, early neutral evaluation (collectively, ADR) and
2 determined that ADR is not a viable option at this time.

3 **C. Alternative Forms of Case Disposition:** The parties hereby certify they
4 considered consent to trial by a magistrate judge and use of the Short Trial Program and do not
5 consent to either at this time.

6 **D. Electronic Evidence.** Not applicable as no jury trial has been demanded.

7 Dated this 19th day of October 2023

9 Valerie McDonald	HALL & EVANS
10 	/s/ Adam R. Knecht
11 9004 In Vogue Ct	Adam R. Knecht, Esq.
12 Las Vegas, NV 89149	1160 North Town Center Drive, Ste. 330
13 valeriecmcdonald@gmail.com	Las Vegas, Nevada 89144
14 Plaintiff, In Pro Per	Attorneys for Defendant

16 ORDER

17 IT IS SO ORDERED:

18 
19 United States Magistrate Judge

20 DATED: October 23, 2023